

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00237

James Odom,
Plaintiff,

v.

Kim Sung,
Defendant.

ORDER

Plaintiff James Odom, an inmate proceeding pro se and *in forma pauperis*, filed this civil-rights lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636(b). Doc. 3.


On May 10, 2023, the magistrate judge issued a report recommending that plaintiff's lawsuit be dismissed with prejudice for failure to state a claim pursuant to 28 U.S.C. §§ 1915A(b) and 1915(e)(2). Doc. 5. A copy of the report was mailed to plaintiff, who did not file written objections.

An intervening letter received from plaintiff (Doc. 7) does not constitute an objection; it is not styled as an objection, and it does not mention the report, identify any errors in it, or even pertain to plaintiff's underlying claim against his defense counsel. Fed. R. Civ. P. 72(b)(2) (requiring "specific written objections"); *Nettles v. Wainwright*, 677 F.2d 404, 410 n. 8 (5th Cir. 1982) (en banc) ("Frivolous, conclusive or general objections need not be considered by the district court."), overruled on other grounds by *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415 (5th Cir.1996) (en banc).

When no party objects to the magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report and being satisfied that it

contains no clear error, the court accepts its findings and recommendation. The court dismisses this case with prejudice.

So ordered by the court on June 23, 2023.



J. CAMPBELL BARKER
United States District Judge